

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Application of Keith BIGGADIKE et al.

International Application No.: PCT/EP2004/04381

International Filing Date: December 15, 2004

For: *Benzothiphenes And Thiochromenes Containing
Phenethanolamine Derivatives For The
Treatment Of Respiratory Disorders*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

- ☒ Copies of the references listed on the attached Form PTO-1449 as item nos. 12-20, 22-29, and 31-32 are enclosed
- ☐ Copies of the references were submitted in parent application Serial No. _____.
(37 CFR 1.98(d))
- ☒ A copy of the International Search Report which issued on International Application No. PCT/EP2004/014381 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 as item nos. 5, 21, 30, and 33 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

- A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

- ☐ **The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).**

- B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:
- (1) a final action under § 1.113 or
 - (2) a notice of allowance under § 1.311,
- whichever occurs first.

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

- ☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

- C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

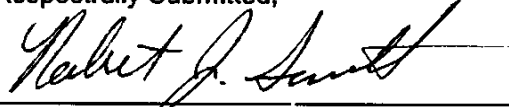
In accordance with the requirements of 37 CFR 1.97(d):

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. **[or]**
- ☐ Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and
- ☐ The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.

☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

Respectfully Submitted,



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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				ATTORNEY DOCKET NO. PB60623USw		SERIAL NO. To be assigned	
				APPLICANT Keith BIGGADIKE			
				FILING DATE To be assigned		GROUP To be assigned	
U.S. PATENT DOCUMENTS							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
	1.	2,918,408	12/22/1959	BIEL			
	2.	4,353,365	10/12/1982	HALLWORTH et al.			
	3.	4,778,054	10/18/1988	NEWELL et al.			
	4.	4,811,731	03/14/1989	NEWELL et al.			
	5.	4,992,474	02/12/1991	SKIDMORE et al.			
	6.	5,035,237	07/30/1991	NEWELL et al.			
	7.	5,590,645	01/07/1997	DAVIES et al.			
	8.	5,860,419	01/19/1999	DAVIES et al.			
	9.	5,873,360	02/23/1999	DAVIES et al.			
	10.	6,321,747	11/27/2001	DMITROVIC et al.			
	11.	6,632,666	10/14/2003	BAUST et al.			
Continue on page _____							
FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
	12.	GB2064336	06/17/1981	GB			X
	13.	EP 69715	01/12/1983	EPO			X
	14.	GB2129691	05/23/1984	GB			X
	15.	EP 162576	11/27/1985	EPO			X
	16.	DE 3524990	01/23/1986	DE			X (Abstract)
	17.	GB2165542	04/16/1986	GB			X
	18.	GB2169265	07/09/1986	GB			X
	19.	GB2178965	02/25/1987	GB			X
	20.	EP220054	04/29/1987	EPO			X
	21.	EP0303465	02/15/1989	EPO			
	22.	GB2230523	10/24/1990	GB			X
	23.	GB 2242134	09/25/1991	GB			X
	24.	WO 99/16766	04/08/1999	PCT			X (Abstract)
	25.	WO 99/47505	09/23/1999	PCT			X
	26.	EP 0947498	10/06/1999	EPO			X
	27.	WO 01/04118	01/18/2001	PCT			X
	28.	WO 01/13953	03/01/2001	PCT			X
	29.	WO 02/066422	08/29/2002	PCT			X
	30.	WO03/024439	03/27/2003	PCT			
Continue on page _____							
OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)							
	31.	Fujii et al., "Novel phosphodiesterase 4 inhibitor T-440 reverses and prevents human bronchial contraction induced by allergen," <i>J Pharmacol Exp Ther</i> 284(1):162 (1998).					
	32.	Landells et al., "Oral administration of the phosphodiesterase (PDE)4 inhibitor, V11294A inhibits ex-vivo agonist-induced-cell activation," <i>Eur Resp J (Annu Cong Eur Resp Soc, Geneva)</i> 12(Suppl. 28) Abst P2393 (Sep. 1998).					
	33.	Apperley et al., "Selectivity of Beta-adrenoceptor agonists and antagonists on bronchial, skeletal, vascular and cardiac muscle in the anaesthetized cat," <i>British Journal of Pharmacology</i> 57(2):235-246 (1976)					
Continue on page _____							
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							